APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/276,248	03/25/1999	HENRY FOURIE	081862.P123	1857

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EXAMINER
PHAN, TRI H

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 February 2003</u> .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>23-59 and 63-86</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-22 and 60-62</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>23-59 and 63-86</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

DETAILED ACTION

Response to Amendment/Arguments

1.   This Office Action is in response to the Response/Amendment filed on February 10,

2003. Claims 1-22 and 60-62 are now canceled and new claims 68-86 are added. Claims 23-59

and 63-86 are now pending in the application.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

3.   Claims 68 and 55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

        - Regarding claim 68, Line 6, it recites the limitation "from said call" is vague and

indefinite because the claim must end with a period. Therefor, the sentence is unclear completed

or not.

        - In regard to claim 55, it recites the limitation "said transitioning capable of being

interpreted from said transitioning" is vague and unclear what the limitation "said transitioning"

refers to and how it is capable of being interpreted from itself.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 23-59 and 63-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Janning (U.S.6,052,448) in view of **Gupta** (U.S.4,788,719), further in view of **Galand et al.**

(U.S.6,317,433).

        - In regard to claims 23, 27-28, 35-40, 44-45, 52-53, 56, 58-59, 66, 68, 72, 74, 78-79 and

86, **Janning** discloses a system (telecommunication network), apparatus (IXC switch in Figs.

1A-B) and method for formatting call detail records ("*call record*") to reduce storage and

processing requirements within a switch (See Abstract and details in Figs. 2-3; Col. 4, Lines 20-

30) for a call ("*point-to-point call*"), by using the call condense agent to collect the call detail

types in the raw information when the call is ongoing, i.e. "*in response to the call transitioning

from an establishment phase to an active phase*", (For example see Col. 3, Lines 45-62; Col. 4,

Lines 48-52). **Janning** also discloses *the apparatus comprises a switch device* (IXC switch in

Figs. 1A-B) *and a switched virtual circuit controller* (call condense and formatter agent of the

IXC switch in Figs. 1A-B) *that manages memory space where call records are stored for calls

flowed through the switch* (storage facility in Figs. 1A-B) *by reducing the size of a call record in

response to a call* (CDR; See Abstract and details in Figs. 2-3; Col. 4, Lines 23-30. It is obvious

that the CDR is produced and stored in the storage facility for a call; where the CDR's size is

reduced by selecting the optimal data structure without storing the unused or empty fields in the

storage facility).

Janning does disclose the propagation of the CDRs and/or DIRF files through the

network as disclosed in Col. 4, Lines 14-18; but fails to specifically teach that the method of

"*reducing the size of the call record maintained for the call*". However, such implementation is

known in the art.

For example, **Galand** discloses the system and method for optimizing transmission links

traffic bandwidth utilization with switching nodes interconnected by high speed transmission

links such as *ATM network* (For example see Fig. 1; Col. 2, Line 65 through Col. 3, Line 3) by

using the compressing method at the switch (For example see Fig. 10; Col. 5, Lines 19-25), i.e.

"*reducing the size of the call*", and passing the compressed PTM packets (For example see Fig.

3; Col. 5, Line 55 through Col. 6, Line 18; Col. 9, Lines 1-6; it is obvious that the compressed

PTM packets contain the connection set-up message for the call and node facilities's information

for selected path, i.e. call record maintained for the call, transmit by network management device

as disclosed in Col. 9, Line 61 through Col. 10, Line 3), control message for routing along the

selected node path as disclosed in Col. 9, Line 61 through Col. 10, Line 3; Col. 7, Lines 40-54; at

the connection set-up, i.e. "*in response to the call transitioning from an establishment phase to*

an active phase".

Janning discloses in regard to claims 36 and 39, when the call is disconnected, i.e. "*in*

response to the call transitioning from an active phase to a release phase", the formatter receives

and formats the CDRs into a corresponding format from the selected raw information

transmitting by the call condense agent (For example see Figs. 1A-B; Col. 4, Lines 55-63), but

fails to disclose the method of *expanding the size of the call record maintained for a call and where the call is transported through ATM network*. However, such implementation is known in the art.

For example, **Galand** discloses the method for decompressing the compressed PTM packets into the original format, i.e. *"expanding the size of the call"*, at the receiving node (For example see Fig. 10; Col. 9, Lines 36-50; it is obvious that the compressed PTM packets contain the connection set-up message for the call and node facilities's information for selected path, i.e. call record maintained for the call, transmit by network management device as disclosed in Col. 9, Line 61 through Col. 10, Line 3; through ATM core backbone network).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to implement the compressing and decompressing technique as taught by **Galand** in **Janning**'s system, for passing the call condense agent's collected raw information to the formatter agent in the server or along the selected routing node path with the motivation being to improve the ability to optimize the link bandwidth utilization in the ATM network.

The combination of **Janning** and **Galand** fail to disclose the *point-to-multipoint call* in the system as in claims 59 and 68. However, such implementation is known in the art.

For example, **Gupta** discloses a system and method for two-party call, i.e. *"point-to-point call"*, as disclosed in Col. 4, Lines 30-43; or conferencing call, i.e. *"point-to-multipoint call"*, as disclosed in Col. 4, Lines 44-50.

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to implement the conferencing connection method as taught by **Gupta** in the combination of **Galand** and **Janning**'s system, by implementing the **Gupta**'s call recording

program in the program templates of the **Janning**'s computer system as disclosed in Col. 1,

Lines 14-22; for providing the ability to establish conference calls, i.e. *"point-to-multipoint call"*,

between multiple users in the communication system.

- Regarding claims 24-26, 41-43 and 75-77, **Janning** further discloses *the method for*

discarding timer information (timestamp) *used to determine if a time-out situation has occurred*

from the call record, retry counter information (REORGCTR) *and pointer information to setup*

messages that are processed or forwarded by a controller (RLTCDR). (For example see details

in Table 1; Col. 1, Lines 23-32; Col. 3, Lines 49-54; wherein the collected information stored in

the RU until the call is disconnected, i.e. *"time-out situation"*, counter for the call, incorporates

with ANSCDR field for generating CDR or not, i.e. *"discarding"*, for constructing billing

purpose)

- In regard to claims 29, 32, 46, 49, 64, 69, 80 and 83, the combination of **Janning** and

Galand does disclose the method of *expanding the call record* by using the decompress method

as rejecting above, for expanding the call record when passing through nodes in the network, but

fails to disclose about adding or dropping party to the call. However, such implementation is

known in the art.

For example, **Gupta** discloses a system and method for the conferencing connection

where party can add or drop during active phase of the call as disclosed in Col. 4, Lines 44-63,

through the use of CNFC field when establishing the conference call as disclosed in Col. 5, Lines

28-30.

Thus it would have been obvious to the person of ordinary skill in the art at the time of

the invention was made to implement the conferencing connection method as taught by **Gupta** in

the combination of **Galand** and **Janning**'s system, by implementing the **Gupta**'s call recording

program in the program templates of the **Janning**'s computer system as disclosed in Col. 1,

Lines 14-22; for providing the ability to establish conference calls, i.e. "*point-to-multipoint call*",

with options such as adding or dropping party between multiple users.

- Regarding claims 30, 33, 47, 50, 81 and 84, **Janning** further discloses the raw

information which temporarily stores in the RU as a capture map, i.e. "pointer", for creating the

CDRs or DIRP files by the formatter (For example see Col. 3, Line 63 through Col. 4, Line 11).

- In regard to claims 31, 34, 48, 51, 63, 65, 70-71, 82 and 85, the combination of **Janning**

and **Galand** does disclose the method of *reducing the call record* by using the compress method

as rejecting above, for reducing the call record when passing through nodes in the network, but

fails to disclose about adding or dropping party to the call. However, such implementation is

known in the art.

For example, **Gupta** discloses a system and method for the conferencing connection

where party can add or drop during active phase of the call as disclosed in Col. 4, Lines 44-63,

through the use of CNFC field when establishing the conference call as disclosed in Col. 5, Lines

28-30.

Thus it would have been obvious to the person of ordinary skill in the art at the time of

the invention was made to implement the conferencing connection method as taught by **Gupta** in

the combination of **Galand** and **Janning**'s system, by implementing the **Gupta**'s call recording

program in the program templates of the **Janning**'s computer system as disclosed in Col. 1,

Lines 14-22; for providing the ability to establish conference calls, i.e. *"point-to-multipoint call"*,

with options such as adding or dropping party between multiple users.

- Regarding claim 57, the combination of **Janning**, **Galand** and **Gupta** fails to disclose *a*

standby controller which assumes operation if the controller fails. However, the use of *standby*

controller as a shadow processor for a system having redundant controllers is well known in the

art for stabilizing the system when the main controller fails. Therefore, it would have been

obvious to the person of ordinary skill in the art at the time of the invention was made to use a

shadow processor in the system taught by **Janning**, **Galand** and **Gupta** for stabilizing the

system.

- In regard to claims 54-55, 67 and 73, **Janning** further discloses when the call is

disconnected, i.e. *"from active to release phase"*, the optimal data structure CDR is created and

sends through nodes in the network (For example see Col. 4, Lines 14-18, 55-63) by using the

compress method (**Galand**; transmitter side of Fig. 10) for optimizing transmission links traffic

bandwidth utilization between interconnected switching nodes, and decompress, i.e. *"expanding*

the call record", at the billing server (**Galand**; receiver side of Fig. 10), i.e. *"processing system"*,

for constructing the billing purpose.

Thus it would have been obvious to the person of ordinary skill in the art at the time of

the invention was made to implement the compressing and decompressing technique as taught by

Galand in **Janning**'s system, for passing the call condense agent's collected raw information to the formatter agent in the server or along the selected routing node path with the motivation being to improve the ability to optimize the link bandwidth utilization in the ATM network.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Albert et al. (U.S.5,907,801), **Westberg** (U.S.6,041,054) and **Bufferd et al.** (U.S.5,706,330) are all cited to show devices and methods for improving management communication architectures based on call record which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan whose telephone number is (703)305-7444. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Olms can be reached on (703)305-4703.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703)872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, VA, Sixth Floor.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Technology Center 2600 Customer Service Office whose telephone

number is (703)305-3900.

Tri H. Phan
April 16, 2003

DANG TON
PRIMARY EXAMINER